



STATE OF WISCONSIN

Senate Journal

Ninety–Seventh Regular Session

10:00 A.M.

TUESDAY, April 12, 2005

The Senate met.

The Senate was called to order by Senator Alan Lasee.

The roll was called and the following Senators answered to their names:

Senators Breske, Brown, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Miller, Olsen, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 33.

Absent – None.

Absent with leave – None.

The Senate stood for a moment of silent meditation.

The Senate remained standing and Senator Roessler led the Senate in the pledge of allegiance to the flag of the United States of America.

CHIEF CLERK'S ENTRIES

The Chief Clerk makes the following entries dated Friday, April 8, 2005.

Read first time and referred:

Senate Bill 162

Relating to: creating a Council on Transportation Infrastructure in the Department of Transportation.

By Joint Legislative Council.

To committee on **Natural Resources and Transportation.**

Senate Bill 163

Relating to: a property tax exemption for restaurant kitchen equipment.

By Senators Leibham, A. Lasee, Roessler, Kedzie and Reynolds; cosponsored by Representatives Van Roy, M. Williams, Nischke, Gronemus, Mursau, Suder, Musser, Pettis, Ainsworth, Vos, Jensen, Shilling, Krawczyk, Nass, Owens, Freese, Jeskewitz, Ott, Towns, Strachota, F. Lasee, Wood, Davis, Hines, Kreibich, Petrowski, Gunderson, Seidel, Vrakas and Gard.

To joint survey committee on **Tax Exemptions.**

Senate Bill 164

Relating to: notice regarding unauthorized acquisition of personal information.

By Senators Kanavas, Stepp, A. Lasee, Darling, Kedzie and Olsen; cosponsored by Representatives J. Fitzgerald, Gundrum, Davis, Nischke, Loeffelholz, Jensen, Bies, Hines,

Ott, Vrakas, Ballweg, Kleefisch, Owens, Freese, Hundertmark, McCormick and Cullen.

To committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.**

The committee on **Higher Education and Tourism** reports and recommends:

BASTING, THOMAS, of Madison, as a member of the Educational Communications Board, to serve for the term ending May 1, 2009.

Confirmation.

Ayes, 5 – Senators Harsdorf, Kedzie, Kapanke, Breske and Plale.

Noes, 0 – None.

BERENS, NICHOLAS, of Antigo, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 2007.

Confirmation.

Ayes, 5 – Senators Harsdorf, Kedzie, Kapanke, Breske and Plale.

Noes, 0 – None.

CARLSON, KAREN, of Frederic, as a member of the Snowmobile Recreation Council, to serve for the term ending July 1, 2007.

Confirmation.

Ayes, 5 – Senators Harsdorf, Kedzie, Kapanke, Breske and Plale.

Noes, 0 – None.

CERNY, MIKE, of Sharon, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 2007.

Confirmation.

Ayes, 5 – Senators Harsdorf, Kedzie, Kapanke, Breske and Plale.

Noes, 0 – None.

CHWALA, THOMAS, of Lake Mills, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 2006.

Confirmation.

Ayes, 5 – Senators Harsdorf, Kedzie, Kapanke, Breske and Plale.

Noes, 0 – None.

DITTMAR, BEVERLY, of Eagle River, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 2007.

Confirmation.

Ayes, 5 – Senators Harsdorf, Kedzie, Kapanke, Breske and Plale.

Noes, 0 – None.

KEHL, ALLAN, of Kenosha, as a member of the Wisconsin Technical College System Board, to serve for the term ending May 1, 2011.

Confirmation.

Ayes, 5 – Senators Harsdorf, Kedzie, Kapanke, Breske and Plale.

Noes, 0 – None.

RENWICK, SUZETTE, of La Crosse, as a member of the Artistic Endowment Foundation, to serve for the term ending May 1, 2010.

Confirmation.

Ayes, 5 – Senators Harsdorf, Kedzie, Kapanke, Breske and Plale.

Noes, 0 – None.

SCHWEITZER, JON, of Black River Falls, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 2007.

Confirmation.

Ayes, 5 – Senators Harsdorf, Kedzie, Kapanke, Breske and Plale.

Noes, 0 – None.

SOLDON, SCOTT, of Shorewood, as a member of the State Fair Park Board, to serve for the term ending May 1, 2005.

Confirmation.

Ayes, 5 – Senators Harsdorf, Kedzie, Kapanke, Breske and Plale.

Noes, 0 – None.

SOLDON, SCOTT, of Shorewood, as a member of the State Fair Park Board, to serve for the term ending May 1, 2010.

Confirmation.

Ayes, 5 – Senators Harsdorf, Kedzie, Kapanke, Breske and Plale.

Noes, 0 – None.

STEIMEL, RICHARD, of Dane, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 2006.

Confirmation.

Ayes, 5 – Senators Harsdorf, Kedzie, Kapanke, Breske and Plale.

Noes, 0 – None.

WILLMAN, MICHAEL, of Merrill, as a member of the Snowmobile Recreational Council, to serve for the term ending July 1, 2007.

Confirmation.

Ayes, 5 – Senators Harsdorf, Kedzie, Kapanke, Breske and Plale.

Noes, 0 – None.

SHEILA HARSDORF
Chairperson

The committee on **Job Creation, Economic Development and Consumer Affairs** reports and recommends:

Senate Bill 124

Relating to: authorizing a town that has entered into a cooperative boundary agreement to use tax incremental financing.

Adoption of Senate Amendment 1.

Ayes, 5 – Senators Kanavas, Zien, Reynolds, Lassa and Decker.

Noes, 0 – None.

Passage as amended.

Ayes, 4 – Senators Kanavas, Zien, Reynolds and Lassa.

Noes, 1 – Senator Decker.

TED KANAVAS
Chairperson

The committee on **Education** reports and recommends:

Senate Clearinghouse Rule 04–129

Relating to the payment of state aid under the student achievement guarantee in education (SAGE) program.

No action taken.

LUTHER OLSEN
Chairperson

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has passed and asks concurrence in:

Assembly Bill 53

Assembly Bill 79

Assembly Bill 94

Assembly Bill 105

Assembly Bill 107

Assembly Bill 140

Assembly Bill 177

Assembly Bill 261

Assembly Bill 53

Relating to: funding for engineering instruction at the University of Wisconsin–Rock County campus and making an appropriation.

By Representatives Towns, Sheridan, Davis, Benedict, Gard, Ward, Loeffelholz, Nischke, Hines, Freese, Krawczyk, Townsend and McCormick; cosponsored by Senator Robson.

Read first time and referred to committee on **Higher Education and Tourism**.

Assembly Bill 79

Relating to: authorizing a city or a village to abolish its police department and contract for law enforcement services with a county.

By Representatives Musser, Wood, Lothian, LeMahieu, Berceau, Gottlieb, Gunderson, Kerkman, Jeskewitz, Ward, Nass, Bies, Zepnick, Jensen, Ott, Nelson, Kestell, Krawczyk, Hubler, F. Lasee, Kaufert, Molepske, Vrakas, Wieckert, McCormick, Pettis and Townsend; cosponsored by Senators Leibham, Cowles, Roessler, Harsdorf and Grothman.

Read first time and referred to committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform**.

Assembly Bill 94

Relating to: expanding the authority of villages to create combined protective services departments.

By Representative Montgomery; cosponsored by Senator Cowles.

Read first time and referred to committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform**.

Assembly Bill 105

Relating to: state contractual service contracting procedures and information and fiscal estimate cost mitigation analyses, granting rule-making authority, and providing an exemption from and extending the time limit for emergency rule procedures.

By Representatives Gottlieb, Jensen, Davis, Gronemus, Gunderson, Hahn, Hines, Honadel, Kaufert, Krawczyk, F. Lasee, LeMahieu, McCormick, Moulton, Musser, Nass, Nischke, Ott, Owens, Pridemore, Staskunas and Van Roy; cosponsored by Senators Cowles, Ellis, Brown, Darling, S. Fitzgerald, Kapanke, A. Lasee, Lazich, Leibham, Olsen, Roessler and Zien.

Read first time and referred to committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform**.

Assembly Bill 107

Relating to: the cutoff time for receipt of documents for filing and recording with a register of deeds, federal tax lien forms, and maintenance of county highway registers.

By Representatives Wood, Kreibich, Albers, Bies, Freese, Gielow, Gronemus, Gunderson, Hahn, Hines, Kerkman, Kessler, Kestell, Krawczyk, LeMahieu, F. Lasee, Musser, Ott, Parisi, Towns, Townsend, Van Roy, Vos, Vrakas, Ward and M. Williams; cosponsored by Senators Olsen, Breske, Grothman, Kedzie, Lassa, Risser and Roessler.

Read first time and referred to committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform**.

Assembly Bill 140

Relating to: providing rules for allocations between principal and income for trusts and estates and authorizing the conversion of a trust to a unitrust.

By Representative Hundertmark; cosponsored by Senator Stepp.

Read first time and referred to committee on **Judiciary, Corrections and Privacy**.

Assembly Bill 177

Relating to: requirements for executive budget bill or bills.

By Representatives Wieckert, Gard, Hahn, Kestell, Lamb, Gunderson, Hundertmark, Loeffelholz, Musser, Nass, Nischke, Ott, Owens, Pettis, Pridemore, Stone, Townsend, Nerison, Montgomery, Krawczyk, Underheim, Bies, Hines, Honadel, Wood and Petrowski; cosponsored by Senators Leibham, Lazich and Reynolds.

Read first time and referred to committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform**.

Assembly Bill 261

Relating to: use of and access to digital recordings of a child's statement in certain court and administrative proceedings.

By Representatives Kleefisch, Boyle, Gundrum, Gunderson, Hahn, Davis, Hines, Lamb, Pridemore, Ballweg, Vos, Berceau, Turner, Poca, Richards, Lehman, Strachota, Seidel, Jeskewitz, Musser, Albers, Ott and Petrowski; cosponsored by Senators Jauch, A. Lasee, Roessler, Olsen, Lassa and Coggs.

Read first time and referred to committee on **Judiciary, Corrections and Privacy**.

Senate substitute amendment 1 to **Assembly Bill 105** offered by Senator Cowles.

Senate amendment 2 to **Senate Bill 38** offered by Senator Leibham.

Senate amendment 1 to **Senate Bill 38** offered by Senator Leibham.

Senate amendment 1 to **Senate Bill 121** offered by Senator Harsdorf.

The Chief Clerk records:

Senate Joint Resolution 11 Senate Bill 79

Report correctly enrolled on April 8, 2005.

CORRECTIONS IN:

SENATE AMENDMENT 1, TO 2005 SENATE BILL 79

Prepared by the Legislative Reference Bureau
(April 7, 2005)

In enrolling, the following correction was made:

1. Page 1, line 2: delete "providing" and substitute
", providing".

CORRECTIONS IN:

SENATE AMENDMENT 1, TO 2005 SENATE BILL 124

Prepared by the Legislative Reference Bureau
(April 8, 2005)

2. Page 1, line 5: delete "6" and substitute "5".

The Chief Clerk makes the following entries dated Monday, April 11, 2005.

The committee on **Campaign Finance Reform and Ethics** reports and recommends:

Senate Bill 105

Relating to: rule making with respect to use of certain funds for political purposes.

No recommendation pursuant to s. 227.19 (6)(b), Wisconsin Statutes.

MICHAEL ELLIS
Chairperson

The committee on **Health, Children, Families, Aging and Long Term Care** reports and recommends:

Senate Clearinghouse Rule 05-001

Relating to variance alternatives of alarm systems.

No action taken.

CAROL ROESSLER
Chairperson

INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Read and referred:

Senate Resolution 6

Relating to: recognizing and supporting national Minority Cancer Awareness Week.

By Senators Coggs, Taylor, Jauch, Robson, Erpenbach, Carpenter, Hansen, Darling, Risser and Lassa.

To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 165

Relating to: the powers of certain towns, authorizing the creation of charter towns by certain town boards, and expanding the authority of charter towns to create tax incremental financing districts.

By Senators Kedzie, Breske, Kapanke and A. Lasee; cosponsored by Representatives Owens, Kerkman, Ainsworth, Albers, Bies, Davis, Gronemus, Gunderson, Freese, Hahn, Hines, Hundertmark, Jeskewitz, Kestell, Krawczyk, F. Lasee, Lothian, McCormick, Musser, Ott, Petrowski, Pettis, Pridemore, Towns, Vos and Ballweg.

To committee on **Job Creation, Economic Development and Consumer Affairs**.

Senate Bill 166

Relating to: requiring a hospital to provide to a sexual assault victim, with consent, information and emergency contraception and providing a penalty.

By Senators Robson, Risser, Carpenter, Coggs, Erpenbach, Hansen, Lassa, Miller, Plale and Wirch; cosponsored by Representatives Pocan, Benedict, Berceau, Black, Boyle, Grigsby, Kessler, Lehman, Parisi, Pope–Roberts, Richards, Seidel, Sheridan, Sherman, Shilling, Sinicki, Toles, Turner, Vruwink, Wasserman and Zepnick.

To committee on **Health, Children, Families, Aging and Long Term Care**.

Senate Bill 167

Relating to: creating an individual income tax checkoff for multiple sclerosis programs.

By Senators Darling, Roessler, Brown, Stepp, Kanavas, Kapanke, Carpenter, Hansen, Plale, Wirch, Breske, Risser and Lazich; cosponsored by Representatives M. Williams, Krawczyk, Jensen, Parisi, Jeskewitz, Underheim, Albers, Zepnick, Shilling, Musser, Hines, Sheridan, Kreibich, LeMahieu, Owens, Ott, Wasserman, Gunderson, Petrowski, Vrakas and Ballweg.

To committee on **Health, Children, Families, Aging and Long Term Care**.

Senate Bill 168

Relating to: state government holidays.

By Senators Harsdorf, Kanavas, Wirch and Coggs; cosponsored by Representatives Pettis, Gronemus, Boyle, Mursau, McCormick, Gard, Kestell, Krawczyk, Van Roy, Vos, Sheridan, Pridemore, Strachota, Freese, Hines, Nerison, Gunderson, Albers and Van Akkeren.

To committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform**.

The committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform** reports and recommends:

Assembly Bill 105

Relating to: state contractual service contracting procedures and information and fiscal estimate cost mitigation analyses, granting rule-making authority, and providing an exemption from and extending the time limit for emergency rule procedures.

Adoption of Senate Substitute Amendment 1.

Ayes, 5 – Senators Brown, Zien, Kanavas, Breske and Wirch.

Noes, 0 – None.

Concurrence as amended.

Ayes, 5 – Senators Brown, Zien, Kanavas, Breske and Wirch.

Noes, 0 – None.

RONALD BROWN
Chairperson

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Legislative Audit Bureau

April 12, 2005

The Honorable, The Legislature:

We have completed audit work at the Department of Financial Institutions to meet our audit requirements under s. 13.94, Wis. Stats. The primary focus of our audit was to review the Department's fiscal operations and related activities to assess whether they are effectively managed, well-controlled, and in compliance with statutory requirements. The Department is responsible for regulating state-chartered financial institutions, the securities industry, and other financial service providers. In addition, it maintains corporate and Uniform Commercial Code filings, investigates consumer complaints related to credit transactions, and provides consumer financial education.

The Department is funded primarily through program revenue derived from fees and assessments paid by regulated entities and individuals. In recent years, it also was awarded almost \$7.7 million in settlements as the result of nationwide actions against brokerage firms. In the past five fiscal years, over \$128.3 million of the Department's program revenue has been transferred or lapsed to the General Fund.

Overall, we found the Department has adequate fiscal management practices in place. However, we identified several areas in which it could further improve internal controls and fiscal processes, including the efficiency and controls of its receipts processing, password security, access to the State's central payroll system, and physical inventories of capital assets. The Department agrees with the recommended improvements and has identified its plans to implement our recommendations. Its responses have been incorporated into this letter.

We appreciate the courtesy and cooperation extended to us by the Department's staff during our audit.

Sincerely,

JANICE MUELLER
State Auditor

REPORT OF COMMITTEES

**State of Wisconsin
Legislative Audit Bureau**

April 12, 2005

The Honorable, The Legislature:

We have completed audit work at the Office of the State Public Defender to meet our audit requirements under s. 13.94, Wis. Stats. We reviewed the Office's fiscal operations and related activities to assess whether they are effectively managed, well-controlled, and in compliance with statutory requirements. The Office is responsible for providing legal representation that is constitutionally guaranteed for defendants who are unable to afford private attorneys. In fiscal year (FY) 2003–04, it provided legal services to almost 145,000 indigent clients through staff attorneys who are directly employed by the Office and private attorneys who are paid on an hourly basis through fixed-fee contracts.

The Office is funded primarily through general purpose revenue, although it receives some program revenue from the indigent clients it serves and through sponsorship of training conferences. In FY 2003–04, it had 527.5 full-time equivalent employees in 38 locations statewide, and its expenditures totaled \$79.9 million.

Over the past five years, the Office's expenditures for private attorneys increased 44.1 percent. Such increases present continuing budgeting challenges for the State. Currently, the invoices that private attorneys and investigators submit during the final quarter of a biennium are not funded until the next budget period, which delays payment for up to three months after they are submitted. This budget practice has been in place for many years, but warrants careful review to ensure it is in compliance with established budget provisions. We also identified several areas in which the Office could improve internal controls and fiscal processes, including private attorney certifications, employee travel reimbursements, fixed assets, and password security. The Office agrees with the recommended improvements and has identified its plans to implement our recommendations. Its responses have been incorporated into this letter.

We appreciate the courtesy and cooperation extended to us by Office staff during our audit.

Sincerely,

JANICE MUELLER
State Auditor

**State of Wisconsin
Department of Public Instruction**

March 21, 2005

The Honorable, The Senate:

The annual report on the status of the Preschool-to-Grade-Five (P–5) Program has been submitted to the joint committee on Finance and is submitted to you for referral to the appropriate standing committees pursuant to s.115.45 (6), Wis. Stats.

All P–5 school district evaluation reports for 2003–04 are contained herein reporting on the academic progress for all schools funded by the P–5 program. If you have any questions, please contact my office or Sandra J. Dercole in the DPI Office of Urban Education (414-227-4942).

Sincerely,

ELIZABETH BURMASTER
State Superintendent

Referred to the committee on **Education**.

Pursuant to Senate Rule 17 (5), Senator Kedzie added as a coauthor of **Senate Bill 88**.

ADVICE AND CONSENT OF THE SENATE

Senator Schultz, with unanimous consent, asked that the reading be dispensed with and the appointments be taken up en masse.

ARNESON, KENNETH D., of Oshkosh, as a member of the Nursing Home Administrator Examining Board, to serve for the term ending July 1, 2006.

BORON, ROSE, of Mosinee, as a member of the Board on Aging and Long Term Care, to serve for the term ending May 1, 2009.

GARCIA, TERRIE, of Waukesha, as a member of the Board of Nursing, to serve for the term ending July 1, 2008.

HEINE, MARGARET, of Janesville, as a member of the Board of Nursing, to serve for the term ending July 1, 2005.

KAUFERT, DEAN, of Madison, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 2007.

RABINOWITZ, ABE, of Middleton, as a member of the Marriage and Family Therapy Professional Counseling and Social Work Examining Board, to serve for the term ending July 1, 2005.

STOLPMAN, KATHIE, of Milwaukee, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 2006.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Miller, Olsen, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Taylor, Wirsch and Zien – 33.

Noes – None.

Absent or not voting – None.

Confirmed.

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

Senate Clearinghouse Rule 04–128

Relating to the dry cleaner environmental response program.

Submitted by Department of Natural Resources.

Report received from Agency, April 8, 2005.

Referred to committee on **Natural Resources and Transportation**, April 12, 2005.

Senate Clearinghouse Rule 04–136

Relating to the administration of the managed forest law.

Submitted by Department of Natural Resources.

Report received from Agency, April 8, 2005.

Referred to committee on **Natural Resources and Transportation**, April 12, 2005.

The committee on **Natural Resources and Transportation** reports and recommends:

Senate Clearinghouse Rule 04–112

Relating to live well standards for participants in the bass fishing tournament pilot program established in **2003 Wisconsin Act 249**.

No action taken.

Senate Clearinghouse Rule 04–113

Relating to recycling.

No action taken.

NEAL KEDZIE
Chairperson

MESSAGES FROM THE ASSEMBLY

Senate Bill 83

Relating to: technical changes to the tax incremental financing law.

The question was: Shall Assembly amendment 1 to **Senate Bill 83** be concurred in?

Concurred in.

**SECOND READING AND AMENDMENTS
OF SENATE JOINT RESOLUTIONS AND
SENATE BILLS**

Senate Joint Resolution 20

Relating to: declaring the week of April 11 to 15 UW Spirit Week.

Read.

Adopted.

Senate Bill 21

Relating to: county ordinances regarding drug paraphernalia or the possession of marijuana.

Read a second time.

Ordered to a third reading.

Senator Schultz, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 21

Read a third time and passed.

Senate Bill 63

Relating to: expanding the authority of villages to create combined protective services departments.

Read a second time.

Senator Cowles, with unanimous consent, asked that **Assembly Bill 94** be withdrawn from the committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform** and taken up.

Assembly Bill 94

Relating to: expanding the authority of villages to create combined protective services departments.

Read a second time.

Ordered to a third reading.

Senator Schultz, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 94

Read a third time and concurred in.

Senator Cowles, with unanimous consent, asked that **Senate Bill 63** be laid on the table.

Senate Bill 88

Relating to: a prohibition against using state funds or resources or federal funds to provide or to facilitate the provision of hormonal therapy or sexual reassignment surgery to alter the appearance of a prisoner or forensic patient so that the prisoner or forensic patient appears more like the opposite gender.

Read a second time.

Ordered to a third reading.

Senator Schultz, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 88

Read a third time and passed.

Senate Bill 95

Relating to: continuing education for dental hygienists.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 95**?

Adopted.

Ordered to a third reading.

Senator Schultz, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 95

Read a third time and passed.

Senate Bill 129

Relating to: transfer of the business employees' skills training grant program to the Technical College System Board, granting rule-making authority, and making an appropriation.

Read a second time.

Senator Kedzie, with unanimous consent, asked that **Senate Bill 129** be referred to committee on **Job Creation, Economic Development and Consumer Affairs**.

Referred.

Senate Bill 147

Relating to: preemption of city, village, town, or county living wage ordinances.

Read a second time.

Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 147** offered by Senators Miller, Taylor, Carpenter, Breske, Risser, Plale, Hansen and Wirsch.

Senator Lassa, with unanimous consent asked to be added as a coauthor of Senate substitute amendment 1 to **Senate Bill 147**.

Senator A. Lasee raised a point of order that Senate amendment 1 to Senate substitute amendment 1 was not germane.

CALL OF THE HOUSE

Senator Carpenter moved a call of the house.

There were sufficient seconds.

Senator Carpenter withdrew his motion for a call of the house.

Senator A. Lasee, with unanimous consent, withdrew the point of order.

Senator A. Lasee moved that Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 147** be laid on the table.

The question was: Shall Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 147** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Reynolds, Roessler, Schultz, Stepp and Zien – 19.

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Lassa, Miller, Plale, Risser, Robson, Taylor and Wirsch – 14.

Absent or not voting – None.

Tabled.

Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 147** offered by Senators Robson, Plale, Erpenbach and Hansen.

Senator A. Lasee moved rejection of Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 147**.

The question was: Rejection of Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 147**?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 13; absent or not voting, 0; as follows:

Ayes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee,

Lazich, Leibham, Miller, Olsen, Reynolds, Robson, Roessler, Schultz, Stepp and Zien – 20.

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Grothman, Hansen, Jauch, Lassa, Plale, Risser, Taylor and Wirsch – 13.

Absent or not voting – None.

Rejected.

Senator Robson moved reconsideration of the vote by which Senate amendment 2 to Senate substitute amendment 1 was rejected.

The question was: Shall the vote by which Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 147** was rejected be reconsidered?

Reconsideration Refused.

The Chair, with unanimous consent, asked that the Senate Stand Informal.

12:16 P.M.

STOOD INFORMAL

12:27 P.M.

The Senate Reconvened.

Senator Miller moved that **Senate Bill 147** be referred to the committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform**.

The question was: Shall **Senate Bill 147** be referred to the committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform**?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 19; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Lassa, Miller, Plale, Risser, Robson, Taylor and Wirsch – 14.

Noes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Reynolds, Roessler, Schultz, Stepp and Zien – 19.

Absent or not voting – None.

Referral Refused.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 147**?

Adopted.

Senator Robson, with unanimous consent, asked that the record reflect she would have voted no on rejection of Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 147**.

Senate substitute amendment 2 to **Senate Bill 147** offered by Senators Hansen, Robson, Risser, Taylor, Carpenter, Breske, Erpenbach, Coggs, Plale, Wirsch, Miller and Decker.

Senator Kedzie moved that Senate substitute amendment 2 to **Senate Bill 147** be laid on the table.

The question was: Shall Senate substitute amendment 2 to **Senate Bill 147** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Reynolds, Roessler, Schultz, Stepp and Zien – 19.

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Lassa, Miller, Plale, Risser, Robson, Taylor and Wirch – 14.

Absent or not voting – None.

Tabled.

Senate substitute amendment 3 to **Senate Bill 147** offered by Senator Jauch.

Senate amendment 1 to Senate substitute amendment 3 to **Senate Bill 147** offered by Senator Jauch.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 3 to **Senate Bill 147**?

Adopted.

Senate amendment 2 to Senate substitute amendment 3 to **Senate Bill 147** offered by Senator Jauch.

The question was: Adoption of Senate amendment 2 to Senate substitute amendment 3 to **Senate Bill 147**?

Adopted.

Senate amendment 3 to Senate substitute amendment 3 to **Senate Bill 147** offered by Senator Miller.

Senator Schultz moved that Senate amendment 3 to Senate substitute amendment 3 to **Senate Bill 147** be laid on the table.

The question was: Shall Senate amendment 3 to Senate substitute amendment 3 **Senate Bill 147** be laid on the table?

Tabled.

Senator Schultz moved that Senate substitute amendment 3 to **Senate Bill 147** be laid on the table.

The question was: Shall Senate substitute amendment 3 to **Senate Bill 147** be laid on the table?

Tabled.

Senator Jauch moved that **Senate Bill 147** be referred to the committee on **Senate Organization**.

The question was: Shall **Senate Bill 147** be referred to the committee on **Senate Organization**?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 19; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Lassa, Miller, Plale, Risser, Robson, Taylor and Wirch – 14.

Noes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Reynolds, Roessler, Schultz, Stepp and Zien – 19.

Absent or not voting – None.

Referral Refused.

Ordered to a third reading.

Senator Schultz asked unanimous consent that **Senate Bill 147** be considered for final action at this time.

Senator Erpenbach objected.

Assembly Joint Resolution 23

Relating to: the life and public service of Thomas M. Schaus.

Concurred in by unanimous rising vote.

Senator Schultz, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 23**.

Assembly Joint Resolution 25

Relating to: the life and public service of George F. Kennan.

Concurred in.

Assembly Bill 99

Relating to: individuals registered as sex offenders based upon a juvenile delinquency adjudication.

Read a second time.

Senate amendment 1 to **Assembly Bill 99** offered by Senators Taylor, Risser, Robson, Erpenbach, Miller, Hansen, Carpenter, Breske and Plale.

Senator Darling, moved that Senate amendment 1 to **Assembly Bill 99** be laid on the table.

The question was: Shall Senate amendment 1 to **Assembly Bill 99** be laid on the table?

Tabled.

Ordered to a third reading.

Senator Schultz, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 99

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 2; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Olsen, Plale, Reynolds, Robson, Roessler, Schultz, Stepp, Taylor, Wirch and Zien – 31.

Noes – Senators Miller and Risser – 2.

Absent or not voting – None.

Concurred in.

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has adopted and asks concurrence in:

Assembly Joint Resolution 20

Assembly Joint Resolution 20

Relating to: the life and military service of Marine Corporal Brian R. Prening.

By Representative Kestell; cosponsored by Senator Leibham.

Read and referred to committee on **Senate Organization**.

Senator Schultz, with unanimous consent, asked that **Assembly Joint Resolution 20** be withdrawn from the committee on **Senate Organization** and taken up.

Assembly Joint Resolution 20

Relating to: the life and military service of Marine Corporal Brian R. Prening.

Concurred in by unanimous rising vote.

Senator Schultz, with unanimous consent, asked that all action be immediately messaged to the Assembly.

Messaged.

**ANNOUNCEMENTS, ADJOURNMENT
HONORS, AND REMARKS UNDER
SPECIAL PRIVILEGE**

Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of eight South Shore students; Keasha Botosh, Justin Tyykila, Katherine Jardine, Amanda Kavajecz, Lettie Jardine, Emily Bainbridge, Rebecca Rice, and Luke Fickbohm and their teacher Dan Madison. These students came down to Madison to present a petition on behalf of their fellow students in support of legislation that would regulate the sale of pseudoephedrine, one of the key ingredients from which the dangerous drug methamphetamine is made. Senator Jauch gives great credit to those students for getting involved in an issue they care about and making an

impact on legislators and on their community. Their legacy will be the difference they make in helping Wisconsin take the necessary steps to curb methamphetamine production and use.

Senator Leibham, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the life and military service of Marine Corporal Brian R. Prening and family.

Senator Wirch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Dan Tilton, a Kenosha firefighter. Mr. Tilton's career is protecting public safety in Kenosha. He just returned from a successful tour of duty in Iraq. Senator Wirch salutes Mr. Tilton for protecting public safety at home and serving his country overseas in Iraq.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Oshkosh Lourdes Boys Basketball Team and coach Dennis Ruedinger, who made their first appearance at the WIAA Boys Basketball Tournament in March 2005. At this first trip to the WIAA tournament, the Oshkosh Lourdes Boys Basketball Team trailed by only three points at the end of the third quarter and continued to play hard against the Randolph Rockets throughout the remainder of the game. The Lourdes Boys Basketball Team played a tough game with school spirit and good sportsmanship. They made their school proud by bringing home the runner up trophy.

Senator Plale, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Bradley DeBraska, retired president of the Milwaukee Police Association.

ADJOURNMENT

Senator Schultz, with unanimous consent, asked that the Senate adjourn until Wednesday, April 13 at 12:00 P.M.

Adjourned.

1:57 P.M.